IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 2243 of 2006

LICHMAN RAM & ANR.
V/S
CIVIL JUDGE(J.D.)AND J.M.,SUJANGARH &ORS

Mr. B.L. Choudhary, for the appellant / petitioner

Mr. G.S. CHAMPAWAT, for the respondent

Date of Order : 1.10.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the petitioner and perused the impugned order and the record. The learned trial Court has observed that the application has been filed with much delay and without giving any explanation for the delay.

That apart perusal of the record shows that the evidence of the parties is already over and the case has been fixed by the trial Court for final arguments.

In such circumstances, I do not stand advised to examine the correctness, legality or propriety of the impugned order. The writ petition is therefore dismissed summarily.

The trial Court is directed to decide the case expeditiously, it is clarified that it will be open to the petitioner to assail the correctness, legality, or propriety of the impugned order by setting forth appropriate ground in appeal, if necessity so arises, and if the petitioner so stands advised. Record of the learned trial Court may be returned forthwith.

(N P GUPTA),J.

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